

## Consequences for a Felony

Felony convictions can affect Public Benefits such as housing, food stamps, educational assistance and worker's compensation. The denial of benefits may be for a year to lifetime depending on the charge and the city where the person resides.

**Food Stamps and social security benefits:** People convicted of a felony for possession or sale of controlled substance lose their ability to obtain food stamps and social security benefits. The person's children are eligible for the benefit but the award will be reduced by the number of people in the household with felony drug conviction. However, the state may still use the ineligible person's income to determine amount of award.

**Educational Assistance:** A person who is convicted of a felony drug offense and was receiving educational grants and loans is barred from further assistance for 1 year for a first time offense, two years for a second offense and life for a third or more offense.

**Housing:** Depending on the offense and the city in which the person lives they may lose their public housing for a short period of time or indefinitely.

**Civil Penalties:** A person may not vote, serve on a jury, obtain commercial driver's licenses, possess a gun or join the US armed forces.

Even if a person's right to carry a weapon is restored he/she will be permanently banned from receiving a concealed weapon's permit.

**Military service:** A person may be able to join the armed forces if they have their record expunged, charges dismissed or receive a pardon.

**Family issues:** Felony convictions may affect a person's marital status, child custody rights and parental status.

**Child Custody:** Felony convictions may be used to argue against joint custody in a child custody case. Parents convicted of drug offenses or certain DUIs will be presumed to be unfit unless the parent can show they have not received a felony conviction within the last five years and completed treatment.

Domestic violence may also prevent a parent from receiving joint custody or unsupervised visits with the child.

**Severance of Parents Rights:** A parent's right to raise their child may be terminated by the state if the parent is incarcerated or committed a crime against a child such as murder or manslaughter or a sexual crime involving a minor. The court may order a severance of a child without requiring CPS to provide efforts to rehabilitate the relationship.

**State employment or licenses:** A person may be denied employment by the state or be denied a license or permit or certificate to engage in such professions or occupations by reason of their prior conviction if the offense has a reasonable relationship to the functions of the employment or occupation for which the license, permit or certificate is sought. The licensing agencies have enormous discretion to deny ex-offenders from obtaining licenses based on a finding of reasonable relationship.

Prohibited licenses:

- Livestock inspectors – felony in the last three years
- Chiropractor – Felony in the last 12 months
- Funeral Director and/ or embalmer in the last seven years (D)
- Massage therapist in the last five years
- Pharmacy Tech
- Permits and Distribution of Drugs
- Podiatrist – felony in the last 12 months
- Real Estate Licenses
- Pest Control
- Cosmetologist